



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

LM11/0121

LAWRENCE P. TRAPANI
MONROE BUILDING 2ND FLOOR
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SYRACUSE NY 13202

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/818,231	03/14/97	042	MILLER, J 2711	01/21/98
First Named Applicant	TRESNESS, ANDREW F.			

TITLE OF INVENTION RETURN PATH FILTER

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2 450.022PA	455-005.100	299	UTILITY	YES	\$660.00	04/21/98

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

A. Pay FEE DUE shown above, or

B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.

Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/818,201	03/14/97	TRESNESS	A 450,027PA

EXAMINER	
MILLER, J	

ART UNIT	PAPER NUMBER
2711	5

DATE MAILED: 01/21/98

LM11/0121

LAWRENCE P. TRAFANI
MONROE BUILDING 2ND FLOOR
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This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS ~~(OR REMAINS)~~ CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

- ☐ This communication is responsive to _____.
- ☒ The allowed claim(s) is/are 1-42.
- ☒ The drawings filed on 3/14/97 are acceptable.
- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- *Certified copies not received: _____.

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☐ Applicant MUST submit NEW FORMAL DRAWINGS
- ☐ because the originally filed drawings were declared by applicant to be informal.
- ☐ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____.
- ☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.
- ☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftperson.

- ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- ☐ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Draftperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Interview Summary, PTO-413
- ☐ Examiner's Amendment/Comment
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☒ Examiner's Statement of Reasons for Allowance

Art Unit: 2711

Allowable Subject Matter

1. Claims 1-42 are allowed.
2. The following is an examiner's statement of reasons for allowance: the prior art of record, namely the Loveless, Baran, Thompson et al, Pavlic et al, and Harney et al patents, and the Stoneback et al article, cited by applicant, alone or in combination, do not teach or fairly suggest that variously claimed, as set forth in the 'Detailed Discussion of the References', Paper #3. As to the remaining references: the Theriault, Douglass et al, and Pidgeon et al patents, and the Wenzel article, also cited by applicant, alone or in combination, do not teach or fairly suggest that claimed variously. Namely, the prior art does not teach or suggest an apparatus for controlling return path loss in a two-way communication system as claimed in claim 1, particularly having a forward path filter means having a resonant circuit component, a return path filter means having a resonant circuit coupled to the component, and an attenuator means included in the return path filter means. Further, the prior art does not teach or fairly suggest a passive filter for controlling return path loss in a communication system as claimed in claims 12 and 39, particularly having a housing of less than about 5 cubic inches enclosing first and second passive filter networks, wherein the latter includes a passive attenuator network which attenuates signals in the return path. Further, the prior art does not teach or fairly suggest an apparatus and method for controlling return path loss in a communication system as claimed in claims 29 and 35, respectively, particularly having a windowed highpass filter having a highpass passband which passes signals in the forward path and

Art Unit: 2711

a bandpass passband or window which passes signals in the return path, and an attenuator means coupled to the windowed highpass filter for attenuating signals passing through the window.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any response to this action should be:

(a) mailed to: Commissioner of Patents and Trademarks

Washington, D.C. 20231

(b) or faxed to: (703) 308-9051, (for formal communications intended for entry)

(c) or faxed to: (703) 308-5399 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

(d) or hand-delivered to: Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

IMPORTANT NOTICE

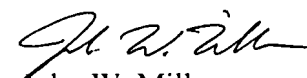
Art Unit: 2711

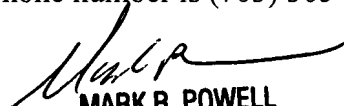
Effective November 16, 1997, the Examiner handling this application will be assigned to a new Art Unit as a result of the consolidation into Technology Center 2700. See the forth coming Official Gazette notice dated November 11, 1997. For any written or facsimile communication submitted **ON OR AFTER** November 16, 1997, this Examiner, who was assigned to Art Unit 2602, will be assigned to Art Unit 2711. Please include the new Art Unit in the caption or heading of any communication submitted after the November 16, 1997 date. Your cooperation in this matter will assist in the timely processing of the submission and is appreciated by the Office.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John W. Miller whose telephone number is (703) 305-4795. The examiner can normally be reached on Monday through Friday from 9:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Powell, can be reached on (703) 305-9703. The fax phone number for this Group is (703) 308-5399.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.


John W. Miller


MARK R. POWELL
SUPERVISORY PATENT EXAMINER
GROUP 2700

January 19, 1998